

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

RECEIVED

MAR 8 2004

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF :

THE JOINT APPLICATION OF ORCHARD)
GRASS UTILITIES INC. AND OLDHAM)
COUNTY SANITATION DISTRICT FOR)
APPROVAL OF THE TRANSFER OF)
WASTE WATER TREATMENT FACILITIES)
PURSUANT TO STOCK PURCHASE)
AGREEMENT BETWEEN THE PARTIES)

CASE NO.
2004 - 00029

MOTION OF ROBERT L. MADISON FOR FORMAL HEARING AND BRIEFS

THIS IS A MOTION BY ROBERT L. MADISON FOR A FORMAL HEARING AND OPPORTUNITY FOR THE PARTIES TO FILE BRIEFS.

THIS IS THE BEGINNING OF THE MOTION

ROBERT L. MADISON MOVES THE COMMISSION TO :

1. HAVE A FORMAL HEARING IN THIS CASE. I WOULD PROPOSE THE FORMAL HEARING BE SET FOR 1100 AM ON 18 MAR 2004 AT THE PSC IN FRANKFORT.
2. THE OPPORTUNITY FOR ALL PARTIES TO FILE BRIEFS. THE BRIEFS WOULD BE DUE NO SOONER THAN 29 MAR 2004 (OR 10 CALENDAR DAYS AFTER THE FORMAL HEARING).
3. THE TIMEFRAME FOR THE COMMISSION TO MAKE A DETERMINATION IN THIS CASE BE ENLARGED FROM 60 DAYS TO AT LEAST 75 DAYS, UNTIL 13 APR 2004.

THIS IS THE END OF THE MOTION.

THE REASONS FOR THE MOTION ARE:

1. THE PROCEDURAL SCHEDULE, SET IN THE COMMISSIONS 20 FEB 2004 ORDER, ONLY ALLOWS 3 DAYS FROM THE DATE OF THE JOINT APPLICANTS RESPONSE TO THE INFORMATION REQUEST UNTIL A REQUEST FOR FORMAL HEARING IS DUE. CONSIDERING THE TIME FOR SERVICE BY MAIL, THERE IS NOT ADEQUATE TIME TO RECEIVE AND REVIEW THE INFORMATION TO MAKE A DETERMINATION IF A FORMAL HEARING IS NECESSARY.

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2. DUE TO TIME CONSTRAINTS, IT CAN NOT BE DETERMINED IF THE JOINT APPLICANTS WILL ANSWER FULLY THE DATA REQUEST(S) OR IF ADDITIONAL INFORMATION OR QUESTIONS WILL BE NEEDED TO BE ANSWERED TO FULLY INVESTIGATE THE CASE.

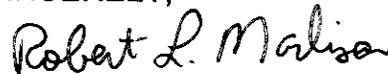
3. I MAY WISH TO PLACE DOCUMENTS IN THE RECORD RELATIVE TO THE DATA REQUESTS AND OR ISSUES RAISED BEFORE THE FORMAL HEARING DATE.

4. I FEEL THE OPPORTUNITY FOR BRIEFS ARE NECESSARY TO ADDRESS THE ISSUES RAISED IN THIS CASE.

5. A SHORT ENLARGEMENT OF THE TIME TO REVIEW THIS CASE BY THE COMMISSION IS REASONABLE TO PROVIDE THE PARTIES ADEQUATE TIME TO STATE THEIR POSITIONS ON THE ISSUES.

I CERTIFY THAT ON 06 MAR 2004, COPIES OF THIS LETTER WERE MAILED, REGULAR MAIL, TO ALL PARTIES OF RECORD :

SINCERELY,



ROBERT L. MADISON
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